

DEF. DOC. #309

Translated by Defense  
Language BranchThe First Supplementary Regulations of  
the Eastern-China Railway Company  
February 17, 1899.

1. In accordance with the treaty concluded on June 24 (July 6), 1898, between the Eastern-China Railway Company and the Chinese Government, the Company shall have the right to construct and employ a branch line connecting a station on the main line of the said railway to Dairen Bay and Port Arthur on the Liao-tung Peninsula, and to call it the South Manchuria Line of the Eastern-China Railway.

2. In accordance with the Imperial Ordinance of May 29 (June 10) 1898, the Company shall have the right to construct a commercial port in Dairen Bay. The Company shall also have the right to manage the said commercial port.

3. In accordance with the Imperial Ordinance of June 12, 1898, the Eastern-China Railway Company is permitted to open a sea route in the Pacific, employing its own steamers. This sea route shall have the following purposes:

- (a.) To supply by the appointed date, cargoes, materials and workers necessary for the construction of the Eastern-China Railway, thereby cooperating in attaining the construction of the said railway.
- (b.) To link, by means of operation of the Eastern-China Railway, Vladivostok and Dairen Bay, departure and arrival points of the said railway, with the principal ports in China, Japan and Korea, thereby transporting travelers and cargoes regularly and rapidly from Russia and Western Europe to the Far East, and vice versa.

If Severoff (T.N. phonetic), commercial advisor, refuses, after January 1 (13) 1900, to maintain regular shipping routes between the various ports in the Maritime Province (the Tartar Straits and Petersburg Bay sea routes) and between Vladivostok and the various open ports in Korea, Japan and China, his duties and responsibilities shall be transferred to the Eastern-China Railway Company from that date.

In regard to the areas of the sea routes, this shall be decided by the Board of Directors of the Company, with the approval of the Russian Finance Minister.

4. For the purpose of facilitating the transportation of materials and food stuffs necessary for the construction of the South Manchuria Line, the Company may construct branch lines as far as Ying-tzu-Chiang and other ports in neutral areas, provided that after the said line is completed and regular transportation commenced, the Company withdraw these branch lines upon the request of the Chinese Government.

5. In accordance with the Company's regulations and the treaty concluded between the Company and the Chinese Government June 24 (July 6), 1898, the company shall strictly fulfill the obligations of constructing and managing the South Manchurian Line and the branch lines mentioned in paragraph 4; of the building and managing the commercial port on the Dairen Bay (Dalny); and of establishing and managing the sea route. But inasmuch as the Company does not fix a period for the management of the sea route and the commercial port on the Dairen Bay, paragraph 12

of the treaty concluded on August 27 (Sept. 8, 1896, between the Russo-Chinese Bank and the Chinese Government, regarding the purchase of the said railway and the period of the gratuitous delivery of the same railway to the Chinese Government, shall not be applicable to the Company.

6. No customs duty shall be levied on travelers' luggage nor on cargoes transported from the frontier stations of Russia to her leased territory in the Liao-tung Peninsula, by way of the said branch lines. This luggage and cargo shall be exempt also from any duties and inland taxes. Export and import duties of the China Customs shall be levied without increase or decrease on cargoes transported by railway from the Russian leased territory to the interior of China and vice versa.

7. The maximum amount of duty to be levied at the commercial port on the Dairen Bay, the maximum fare and freight charges on travelers' baggage and cargoes transported on the company's ships, as well as additional charges payable for transportation purposes, shall be fixed by the Finance Minister of Russia, when submitted to him for approval by the Board of Directors of the company. Harbor duty, freight and other additional charges shall be fixed by the company itself, when within the scope of the aforesaid standard amount fixed by the Finance Minister of Russia.

8. In accordance with the conditions stipulated in paragraphs 11 and 12 of the Company's regulations, approved by an Imperial Ordinance of December 4 (16), 1896, the South Manchurian Railway Company may issue, in case of need, additional debentures to cover the expenses of construction of the South Manchuria Line and the commercial port in Dairen Bay, as well as the expenses for the opening of the sea route in the Pacific. Of these the accounts and documents regarding the capital of debentures issued especially for the commercial port and the sea route must be separated from that of the railway.

9. During the management of the Dairen Bay commercial port and the company established sea route in the Pacific, the South Manchurian Railway company must separate its accounts and books regarding income and expenditure from those of the railway. When the total revenue accrued from the commercial port and the Pacific sea route cannot cover the expenses for their management, or redeem every year the debenture prepared specifically for the necessity of that undertaking, or transfer some amount of money necessary for the redemption of funds by installments, the Company may receive the deficit from the Russian Government through the Finance Minister of Russia. The rate to be paid as security for the loan shall be six percent (6%) per annum, but all other payments shall be made in accordance with conditions laid down in each case by the Finance Minister. If there is surplus after deducting all necessary amounts and a reserve fund from the net profits gained through the management of the Dairen Bay commercial port and the sea route, it shall be used first of all for the redemption of debts by installments to Russia. Furthermore, in those fiscal years in which the Company completes the redemption of debts, additions to dividends to the shareholders shall be made out of the said surplus.

10. When the Chinese Government deems it necessary to establish, with the approval of the Russian Government, a customs house on Dairen Bay, for the purpose of collecting customs duties on cargoes, imported and exported, to and from the Russian leased territory in the Liao-tung Peninsula by rail, she will place its organization and management in the hands of the

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- Eastern-China Railway Company, which shall collect customs duties for the Chinese Treasury in the capacity of a representative of that treasury. The expenses for the maintenance of the customs-house must be defrayed from revenue at a rate to be decided each year by the Company together with the Chinese Government. Since the customs-house is under the direct supervision of the Central Government in Peking, its business reports will be sent in periodically to the Central Government.

The Chinese Government has the right to appoint officials of Chinese nationality. These officials shall hold a position as representatives of China in the customs-house.

11. As regards all matters not stipulated in these additional Regulations, the Company shall conform to the corresponding provisions of the Regulations of the Eastern-China Railway Company approved by Imperial Ordinance of December 4 (6th) 1896, as well as those in the treaties concluded among the Chinese Government, the Russo-China Bank and the Company's Board of Directors on August 27 (Sept. 8, 1896, and June 24 (July 6), 1898.

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## CERTIFICATE

## STATEMENT OF SOURCE AND AUTHENTICITY

I, HAYASHI, Kaoru, Chief of the Archives Section, Japanese Foreign Office, hereby certify that the document hereto attached in Japanese, consisting of seven pages, and entitled "First Supplement to Charter of Chinese Eastern Railway, February 17, 1899" is an exact and true copy of an official translation of the Japanese Foreign Office.

Certified at Tokyo on this 8th day of January, 1947.

K. HAYASHI

Signature of Official

Witness: Negaharu Odo

## TRANSLATION CERTIFICATE

I, WILLIAM E. CLARKE, of the Defense Language Branch, hereby certify that the foregoing translation described in the above certificate is, to the best of my knowledge and belief, a correct translation and is as near as possible to the meaning of the original document.

WILLIAM E. CLARKE

Tokyo, Japan

Date: 27 January 1947



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Tokyo, Japan  
Date: 27 January 1947

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## 東支鐵道會社第一追加條例

千八百九十九年二月十七日

- 一 東支鐵道會社ハ千八百九十八年六月二十四日（七月六日）同社ト支那帝國政府トノ間ニ締結セラレタル條約ニ基キ右鐵道本線ノ一停車場ヨリ遼東半島ニ在ル大連灣及旅順口ニ至ル一支線ヲ收設シ且該線ヲ東支鐵道「南滿洲線」ト稱シ之ヲ運用スルノ權ヲ有ス
- 二 千八百九十八年五月二十九日（六月十日）ノ勅令ニ依リ該會社ハ大連灣ニ商港ヲ築造スルノ權ヲ有ス  
該會社ハ亦右商港ヲ經營スルノ權ヲ有ス
- 三 千八百九十八年六月十二日ノ勅令ニ依リ東支鐵道會社ハ自己ノ汽船ニ依リ太平洋ニ航路ヲ開クニトモ許可セラレタリ  
本航路ハ左ノ目的ヲ有ス
  - (イ) 東支鐵道ノ敷設中之ニ必要ナル貨物、材料及人夫ヲ期日ニ相違セサル様供給シ以テ該鐵道收設ノ達成ニ協力シ
  - (ロ) 東支鐵道經營中ハ航路ニ依リ該鐵道ノ發着點タル浦潮斯德及大

連灣（ガルニー）ト支那、日本及朝鮮ノ主要ナル諸港トノ間ヲ  
聯絡シ以テ露西亞及西部歐羅巴ヨリ極東ニ又ハ極東ヨリ露西亞  
及西部歐羅巴ニ至ル旅客及貨物ヲ定期且迅速ニ輸送セシム  
尙商業上「シエウリヨフ」ニシテ沿海州諸港間ノ定期航路（  
韃靼海峽及彼得大帝灣ノ航路）並浦潮斯德ト朝鮮、日本及支那  
ノ諸開港場間ノ定期航路ヲ千九百年一月一日（十三日）以後維  
持スルコトヲ拒絕シタルトキハ商業上「シエウリヨフ」ノ義  
務及責任ハ千九百年一月一日（十三日）ヨリ東支鐵道會社ニ移  
ルモノトス

航路ノ方面ニ關シテハ會社理事會ニ於テ露西亞國大藏大臣ノ承  
認ヲ得テ之ヲ決定スヘシ

#### 四

南滿洲鐵道線ノ敷設ニ必要ナル材料及食料品ノ輸送ヲ容易ナラ  
シムル爲會社ハ營子港及中立地帶ノ他ノ諸港迄支線ヲ敷設スルコ  
トヲ得但シ該線完成シ定期輸送ヲ開始スルニ至リタルトキ支那國  
政府ヨリ要求アリタル場合ニハ會社ハ前記諸港ニ至ル支線ヲ撤去  
スヘシ

五 會社ハ南滿洲線又ハ第四項ニ掲ケラレタル支線ノ建築及經營並

大連灣（ダルニー）ニ於ケル商港ノ築造及經營又ハ航路ノ設定及  
經營ヲ會社ノ條例及千八百九十八年六月二十四日（七月六日）附  
會社ト支那帝國政府トノ間ニ締結セラレタル條約ニ從ヒ嚴ニ之ヲ  
爲スノ義務ヲ有ス但シ會社カ航路並大連灣商港ノ經營ニ付期間ヲ  
定メサルヲ以テ千八百九十六年八月二十七日（九月八日）附錄支  
銀行ト支那國政府トノ間ニ締結セラレタル該鐵道ノ買上並右鐵道  
ヲ支那國政府ニ無償引渡ノ期間ニ關スル條約ノ第十二項ハ航路及  
商港ニ關シテハ之ヲ會社ニ適用セサルモノトス

六 旅客ノ手荷物並西亞國國境停車場ヨリ該支線ヲ通シテ西亞  
國ノ租借セル遼島半島内ニ輸送セラルル貨物ハ何等ノ關稅ヲ課セ  
ラレサルモノトス總テノ税金及内地稅モ亦同様免除セラルハシ錄  
西亞國ノ租借地ヨリ鐵道ニ依リ支那國內地ニ輸送セラレタル貨物  
並支那國內地ヨリ該領地ニ向ケ輸送セラレタル貨物ハ支那國海關



ノ輸出入税ヲ増減スルコトナク課セラルルモノトス

七 大連灣ノ商港ニ於テ徵收セラルヘキ港税ノ最高額及會社ノ船舶  
ヲ以テ運送セラルル旅客及貨物ノ最高賃銀並之カ運送ノ爲支拂ハ  
ルヘキ追徴金ハ會社理事會ヨリ其ノ承認ヲ得ル爲ニ提出アリタル  
トキ經西亞國大藏大臣之ヲ決定スヘシ

港税、海上運送料及其ノ追加料金ハ經西亞國大藏大臣ノ決定シタ  
ル前記標準額ノ範圍内ニ於テ會社自身之ヲ決定スルモノトス

八 南滿洲線及大連灣商港ノ建設並太平洋航路開始ニ依リ生シタル  
經營ヲ償フ爲南滿洲鐵道會社ハ千八百九十六年十二月四日（十六  
日）ノ勅令ニ依リ裁可セラレタル該會社條例第十一項及第十二項  
ニ定メラレタル條件ニ基キ其ノ必要ニ應シ追加債券ヲ發行スルコ  
トヲ經右ノ内商港及港路ニ特ニ充當セラレタル社債資本ノ計算及  
帳簿ハ鐵道社債資本ニ關スルモノト分離スルコトヲ要ス

## 九

大連灣商港並會社カ創設シタル太平洋航路ノ經營中南滿洲鐵道會社ハ收入及支出ニ關シ其ノ計算及帳簿ヲ鐵道ニ關スルモノト分離スルコトヲ要ス

大連灣商港及太平洋航路ヨリ生スル總收入ニシテ右經營費用ヲ償ヒ右企業ノ必要ノ爲特ニ準備セラレタル社債資本ヲ毎年償還シ又ハ基金ノ割賦償却ヲ爲ス要ナル金額ノ繰入ヲ爲スニト能ハサルトキハ會社ハ右不足額ヲ露西亞國大藏大臣ヲ經テ露西亞國政府ヨリ受ケルニトヲ得社債資本ニ對スル擔保ニ支拂ハルヘキ割合ハ年六分トス尤モ會社ニ爲サルヘキ其ノ他ノ一切ノ支拂ハ大藏大臣カ各場合ニ應シ決定シタル條件ニ基キ之ヲ爲スヘシ若シ大連灣商港及航路ノ經營ヨリ得ル純利益中ヨリ一切ノ必要ナル金額及積立金ヲ控除シタル後尙剩餘アルトキハ之ヲ先ツ第一ニ該商港及航路ノ爲ニ生ジタル露西亞國ニ對スル債務ノ割賦償却ニ使用スヘシ尙會社カ其ノ債務ノ償却ヲ完了シタル年度ニ限り之ヲ以テ株主配當額ヲ追加スルモノトス

十

支那國政府ニシテ遼東半島ノ露西亞國租借地域ヨリ來リ及該地域ニ至ル鐵道ニ依ル輸出入貨物ヨリ關稅ヲ徵收スル爲露西亞國政府ノ同意ヲ得テ大連灣ニ海關ヲ設置スルノ必要ヲ認メタルトキハ之カ組織及管理ヲ東支鐵道會社ニ委任シ留社ハ支那國國庫ノ代表者ノ資格ヲ以テ支那國國庫ノ爲ニ税金ヲ徵收スヘシ海關ノ維持費ハ會社カ支那國政府ト共ニ每年定メラルヘキ割合ヲ以テ其ノ收入中ヨリ之ヲ支辨スルヲ要ス海關ハ北京ニ於ケル中央官廳ノ直接監督ノ下ニ在ルヲ以テ之カ事業報告ヲ定期ニ中央政府ニ提出スヘシ

支那國政ハ自國國籍ヲ有スル文官ヲ任命スルノ權利ヲ有ス右文官ハ海關ニ於テ支那國ノ代表者タル地位ヲ有スヘシ

一一 本追加例條ニ規定セラレサル一切ノ事項ニ關シテハ會社ハ千八百九十六年十二月四日（十六日）ノ勅令ニ依リ裁可セラレタル東支鐵道會社條例及千八百九十六年八月二十七日（九月八日）附竝千八百九十八年六月二十四日（七月六日）附支那政府、

露支銀行及會社理事會ノ間ニ締結セラレタル條約ノ相當規定ニ從  
フヘキモノトス